

**DOD HOTLINE INVESTIGATION 200901028/200901075/200901076  
10 DEC 2009**

**Section 1: Investigators and Identifying Information and  
Location of Working Papers:**

a. Investigators and Identifying Information:

b6 [REDACTED]  
b7c [REDACTED]  
k2 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

b6 [REDACTED]  
b7c [REDACTED]  
k2 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

b. Location of Working Papers:

Commander, Naval Surface Forces  
Office of the Inspector General  
2841 Rendova Road  
San Diego, CA 92155-5490

**Section 2: Background and Summary:**

a. Hotline control #s, Dates of Receipt and Tasking Dates:

This case was originally received by the Commander, Naval Forces Japan, (CNFJ) Inspector General's Office on 6 Jun 2009 and was assigned NIGHTS Case Number 200901028. Two additional complainants made similar complaints against the same subject and submitted them to the CNFJ IG's office during the same time period. On 11 June, CNFJ IG requested, via NIGHTS, that Commander, Navy Installations Command (CNIC) IG take control of the case; CNIC transferred the case to Navy Inspector General (NAVINSGEN) on that same day. On 15 July, the case was transferred to Commander, U.S. Pacific Fleet (CPF) IG. Case was tasked to Commander, U.S. Naval Surface Forces (CNSF) IG on 20 July. **IO Note:** Per direction from NAVINSGEN, allegations from case numbers 20090128, 200901075 and 200901076 will be addressed in a single report of investigation (ROI).

b. Summary of the complaint: Three confidential

complaints were received that named b6 b7c k2 [REDACTED],  
b6 b7c k2 [REDACTED], USS COWPENS (CG 63) as a subject. Among the

allegations made were that [REDACTED], [REDACTED] of USS COWPENS (CG 63) repeatedly verbally abused her crew and committed assault. The complaints further alleged that [REDACTED] hazarded COWPENS through poor seamanship and by issuing hazardous orders. Additionally, the complaints allege that [REDACTED] [REDACTED] qualification program was deficient, that she used her position to coerce an [REDACTED] to play piano at a Christmas Party held at her home, that she requested Junior Officers walk dogs that were in her care, that [REDACTED] failed to properly train and qualify the newly reported Ensigns and Lieutenants Junior Grade aboard COWPENS, and that she endangered her crew by failing to follow proper procedures for disposing of waste while at sea.

c. Additional Information: None.

d. Summary of Outcome of Investigation: COMNAVSURFOR IG investigated the following eight allegations:

(1) That [REDACTED] verbally abused her subordinates by publicly berating and belittling them during the period of her Command of COWPENS, from March of 2008 through July of 2009, in violation of Uniform Code of Military Justice (UCMJ) Article 92, Failure to obey a lawful order or regulation, to wit: U.S. Navy Regulations, Article 802 (Responsibility) and U.S. Navy Regulations Article 1023 (Abuse of Authority), is substantiated.

(2) That [REDACTED] assaulted her subordinates during the period of her Command of COWPENS, from March of 2008 through July of 2009, in violation of UCMJ Article 128, Assault, is substantiated.

(3) That [REDACTED] improperly hazarded COWPENS throughout the period of her Command of COWPENS, from March of 2008 through July of 2009 by issuing unsafe orders to bridge watchstanders in violation of UCMJ Article 110, Improper Hazarding of a Vessel, is unsubstantiated.

(4) That [REDACTED] was derelict in the performance of her duties by not qualifying an [REDACTED] from February 2009 to July 2009, despite the fact that there were two Chief Petty Officers awaiting their qualification boards, in violation of UCMJ Article 92, Failure to obey an order or regulation, to wit: OPNAVINST 3500.34A, Personnel Qualification Standards Program, and COMNAVSURFORINST 3540.3A, Engineering Department Organization and Regulations Manual, is unsubstantiated.

(5) That b6 b7c k2 used her office for personal gain in the winter of 2008 by using her position to coerce subordinates to play piano at a personal Holiday party, in violation of the Joint Ethics Regulations (JER), section 2-301(b), Use of Federal Government Resources, and 5 Code of Federal Regulations (CFR) 2635.702, Use of public office for private gain, is substantiated.

(6) That b6 b7c k2 used her office for personal gain in the summer of 2008 by having subordinates walk her dogs, in violation of the Joint Ethics Regulations (JER), section 2-301(b), Use of Federal Government Resources, and 5 Code of Federal Regulations (CFR) 2635.705b, Use of Official Time, is substantiated.

(7) That b6 b7c k2 was derelict in the performance of her duties by failing to qualify the newly-reported Ensigns and Lieutenants Junior Grade as Surface Warfare Officers in a timely fashion from February 2008 through summer of 2009, in violation of UCMJ Art. 92, Failure to obey an order or regulation, to wit: U.S. Navy Regulations, Article 0821 (Training and Education); OPNAV Instruction 3500.34F, Personnel Qualification Standards (PQS) Program; Commander, Naval Surface Forces Instruction 1412.1A CH-1, and Naval Education and Training Command (NAVEDTRA) Instruction 43100-1J, Personnel Qualification Standards (PQS) Unit Coordinator's Guide, is substantiated.

(8) That b6 b7c k2 was derelict in the performance of her duties by failing to address waste management problems which resulted in crewmembers disposing of waste by throwing it overboard at night, starting in October 2008 which then continued through April 2009, in violation of UCMJ Art. 92, Failure to obey an order or regulation, to wit: U.S. Navy Regulations, Articles 0825 (Safety Precautions), is unsubstantiated.

**Section 3. First Allegation:** That b6 b7c k2 regularly verbally abused her subordinates by publicly berating and belittling them during the period of her Command of COWPENS, from March of 2008 through July of 2009, in violation of Uniform Code of Military Justice (UCMJ) Article 92, Failure to obey a lawful order or regulation, to wit: U.S. Navy Regulations, Article 802 (Responsibility) and U.S. Navy Regulations, Article 1023 (Abuse of Authority), is substantiated.

a. Facts:

(1) U.S Navy Regulations Chapter 8, The Commanding Officer, Commanding Officers in General, Article 802, Responsibility, subparagraph 4 states:

The commanding officer and his or her subordinates shall exercise leadership through personal example, moral responsibility and judicious attention to the welfare of persons under their control or supervision. Such leadership shall be exercised in order to achieve a positive, dominant influence on the performance of persons in the Department of the Navy.

(2) U.S. Navy Regulations Chapter 10, Precedence, Authority and Command, Article 1023, Abuse of Authority states, "Persons in authority are forbidden to injure their subordinates by tyrannical or capricious conduct, or by abusive language."

(3) A confidential complainant alleged that, "My complaint is against the [b6 b7c k2] of USS COWPENS for abuse of rank, verbal, and emotional abuse of subordinates." The complainant further stated the subject "creates an environment of fear and hostility... (and) frequently humiliates and belittles watchstanders by screaming at them with profanities in front of the CIC and bridge watch teams."

(4) Numerous witnesses stated that [b6 b7c k2] routinely used language towards her subordinates that was abusive. Specific examples of this follow, but it is important to note that 29 of 36 witnesses interviewed who served under [b6 b7c k2] stated that she belittled her subordinates and verbally abused her crew.

- [b6 b7c k2] stated that while he was attempting to earn a qualification in the ship's Combat Information Center, [b6 b7c k2] asked him, "What the fuck are you doing in Combat?" He also stated that several times he sought [b6 b7c k2] out to iron out their differences or to clarify a training point. According to his testimony, she outright refused, once stating, "This is one of the reasons I hate you."

- [b6 b7c k2] stated that, when he approached [b6 b7c k2] by knocking on [b6 b7c k2] stateroom door to present his navigation charts for [b6 b7c k2] approval, she answered by saying, "What the fuck are you standing there for?" [b6 b7c k2] stated that it was common for him to be belittled by [b6 b7c k2] while presenting charts at COWPENS' navigation briefs regarding the incompleteness or lack of thoroughness of the charts he

presented. This was after both the b6 and b6 had reviewed his charts and signed their approval of his charts.

- b6 b7c k2, b6 b7c k2 onboard COWPENS, stated that, while setting up for a reception to be held aboard COWPENS during a port visit to Vladivostok, Russia, b6 b7c k2 approached b6 b7c k2, COWPENS b6 b7c k2, and yelled, in front of the full S1 Division, "SUPPO, you're way behind the fucking 8-ball, If you don't get your shit together I'll cancel this party." This incident was corroborated by b6 b7c k2. **IO Note:** b6 b7c k2 specifically requested that the IO interview b6 b7c k2.

- b6 b7c k2, COWPENS b6 b7c k2, when asked if she considered b6 b7c k2 to be a mentor, responded that b6 b7c k2 told her, "Don't come to me with your problems. You're a fucking Department Head." She further stated in an unsolicited written statement and when interviewed that b6 b7c k2 had once threatened her by saying, "I can't express how mad you make me without getting violent." **IO Note:** While in Yokosuka conducting interviews, four COWPENS crewmembers provided unsolicited written statements concerning what they perceived as abuse by b6 b7c k2. Four of these were from Department Heads, b6 b7c k2, b6 b7c k2, b6 b7c k2, b6 b7c k2, and b6 b7c k2).

Additionally, one Division Officer kept a similar "log" that was included as part of a submitted complaint.

- b6 b7c k2, b6 b7c k2 aboard COWPENS and a qualified Surface Warfare Officer, stated, when interviewed, that b6 b7c k2 offered "no training, no mentoring" and that she told him "The only words I want to hear out of your mouth are, 'yes, ma'am' or 'you're correct ma'am'."

- b6 b7c k2, a b6 b7c k2, when interviewed stated that he witnessed the following regarding b6 b7c k2 while he was standing watch on the bridge:

- It was "common" for her to ask her watch team, "What are you, fucking stupid?"

- He stated, "Verbal abuse is definitely going on," and "the Navigator gets a ton of abuse, almost like she's trying to embarrass him... she's pretty ruthless; she really, really hates the khakis" and, "she doesn't trust the officers. She has no faith in them." b6 b7c k2 further stated that he never saw b6 b7c k2 offer any training to any watchstander and that he never considered b6 b7c k2 comments to be either constructive or instructive.

- b6 b7c k2, b6 b7c k2 on COWPENS, stated that b6 b7c k2 commonly referred to him as a "stupid fucking idiot" in the Daily

Operations/Intelligence Brief, in front of crewmembers of all ranks. When interviewed, he provided an unsolicited written statement that states b6 b7c k2, "publicly derides and humiliates personnel...07 August (09) in b6 : b6 b7c k2 - eye contact! You are such a god-damn stupid fucking idiot! Stop being such a blockhead!" He stated that the environment fostered by b6 b7c k2 is "abusive, not corrective at all."

- b6 b7c k2, COWPENS b6 b7c k2, when interviewed, described b6 b7c k2 leadership style as "Verbal abuse after verbal abuse... You lose complete confidence in her ability to lead like a b6 should." When asked if she considered b6 b7c k2 to be a role model, b6 b7c k2 answered, "she is a terrible role model for women in the Navy...she is a terrible representative of the Navy." She was also asked if she felt b6 b7c k2 was a good mentor. Her response was, "Any kind of Captain to JOs mentoring? Absolutely not." Additionally, while they were standing watch on the bridge, b6 b7c k2 told both b6 b7c k2 and b6 b7c k2, COWPENS b6 b7c k2, "You two are fucking unbelievable. I would fire you if I could but I can't." This incident was corroborated by b6 b7c k2 when interviewed. **IO Note:** It is important to note the relationship that b6 b7c k2 and b6 b7c k2 had with b6 b7c k2. Numerous witnesses stated that they were members of b6 b7c k2" and would be specifically called upon to take over bridge watches during special evolutions. According to numerous witnesses, they were the subordinates that she gave the most responsibility and trust. As evidence of this, a COWPENS watchbill has b6 b7c k2 and b6 b7c k2 assigned as PG (Post-graduate) Augments to supersede other assigned watchstanders during special evolutions. b6 b7c k2, and b6 b7c k2 (since transferred) also held this distinction. All four mentioned (b6 b7c k2 and b6 b7c k2, and b6 b7c k2 and b6 b7c k2) confirmed they were members of the "A-Team."

- b6 b7c k2, when interviewed, stated that b6 b7c k2 told him, while on the bridgewing, to "Take your God damn attitude and shove it up your fucking ass and leave it there." This was while he was b6 b7c k2 during an Underway Replenishment (UNREP). He stated that b6 b7c k2 regularly stated to her bridge watch team, "You guys are idiots, fucking idiots."

- b6 b7c k2, when interviewed, was asked if he considered b6 b7c k2 to be a role model. He responded, "Do you mean do I want to be like her? Oh, no." b6 b7c k2 also stated that he thought he had a uniquely positive relationship with b6 b7c k2 in the respect that he was often yelled at by her while standing watch, but b6 b7c k2 would follow up with him by explaining what had caused her to lose her temper and turning it into a learning point. b6 b7c k2 stated that he was the "ONLY"

crewmember that she treated in this manner and had no explanation why he was treated differently. He also stated "people are afraid to make mistakes" due to b6 b7c k2 presence.

- b6 b7c k2, b6 b7c k2 on COWPENS, stated that b6 b7c k2 "had an abusive way of getting her point across." **IO Note:** b6 b7c k2 specifically requested that the IO interview b6 b7c k2.

- b6 b7c k2, pilot assigned to HS-15 Det A aboard COWPENS, when interviewed, was asked to describe the Command Climate on board COWPENS. She responded, there is "a lot, lot of verbal abuse. {b6 b7c k2} is someone I never, ever want to be or become." A specific incident occurred during a wardroom meeting, in which b6 b7c k2 asked the officers if anyone had participated in Exercise TALISMAN SABRE before. b6 b7c k2 offered that she had been on a ship that participated in 2007, but she had not taken part in the planning process. In front of the other wardroom members, b6 b7c k2 responded "What good are you." b6 b7c k2 offered an unsolicited statement that reads, in part, "Countless times, b6 b7c k2 has publically berated, belittled, and demeaned various members of her crew. b6 b7c k2 is a terrible leader who constantly berates her people. Many times she does not treat them as human beings. She talks down to them, belittles them and gives them little worth and value on the ship."

- b6 b7c k2, b6 b7c k2, when interviewed, described the climate in CIC as "tense" due to the presence of b6 b7c k2. He described one specific incident in the summer of 2009 in which, following an error with a CASREP, b6 b7c k2 ordered him to stand in "time-out" in the CIC, in front of the full watch team. b6 b7c k2 stated that this was "demeaning" to him, but he decided to stand quietly in the corner in close proximity to b6 b7c k2 rather than publicly challenge her authority. Numerous witnesses stated that FCCM Forsythe is one of CAPT Graf's few trusted subordinates and she places an amount of responsibility on him that is disproportionate to his rank and billet. As an example of this, 6 of 7 Combat Systems divisions are required by CAPT Graf to run their CASREPs through him, vice the Combat Systems Department Head. FCCM Forsythe confirmed that he held these responsibilities and that they were highly unusual for the CSMM to hold. He further stated, when asked what he would do if he found out that he would have to serve another tour under CAPT Graf, "I've been in the Navy for 23 years and I would put my retirement papers in the next day."

- CDR Todd Bahlau, former helo detachment Officer-in-Charge on board CAPT Graf's prior Command, USS WINSTON S.

CHURCHILL (DDG-81), stated, when interviewed, that, in approximately January of 2003, upon informing CAPT Graf (then CDR) that weather was outside of the limits required to recover a helo onboard, she responded by saying, "I thought you flew a fucking all-weather aircraft. Now fuck me to tears." He further stated that, after a time, he was not permitted to speak to CAPT Graf so he resorted to briefing the XO, CDR Robert Bodvake, on any flight schedule issues and then slipping the flight schedule under her stateroom door for her review. CDR Bodvake confirmed this when interviewed.

- CDR Robert Bodvake, former XO of WINSTON S. CHURCHILL and current CO of USS MOMSEN, stated that CAPT (then CDR) Graf's leadership style was, "Not helpful. It did not foster communication up or down the chain of command." Additionally, he stated that CAPT Graf was particularly harsh towards the CHURCHILL's Navigator, due, in his opinion, to the fact that she hated his British accent and would regularly verbalize this.

- LT Stuart Yates, former Navigator assigned to WINSTON S. CHURCHILL while an exchange officer from the Royal Navy, stated when interviewed, that, immediately after an engineering casualty in February of 2003 caused a "shudder" through the ship, CAPT Graf, on the bridge "got in my face and screamed, 'Fucking Navigator, you ran my fucking ship aground.'" The ship did not, in fact, run aground but was transiting shoal water.

- LT Patrick Reilley, Navigator of COWPENS from July of 2005 through October of 2008, stated, when interviewed, that, "verbal abuse was almost a daily occurrence" aboard COWPENS.

- LCDR Martin Robertson, former Chief Engineer (CHENG) on COWPENS, stated that CAPT Graf would "correct on the spot and (she) doesn't care who is around." **IO Note:** CAPT Graf specifically requested that the IO interview LCDR Robertson.

(5) Numerous witnesses stated that CAPT Graf would berate them for unknown reason and not provide any feedback as to what they had done wrong. This is best described by ENS Cory Massey, Auxiliaries Officer on board COWPENS when asked if she ever used these incidents (yelling, profanities, belittling) "as a teaching point or learning point." He responded:

No, not at all. That's my biggest problem was there is--you know what, if you're going to yell at me for being jacked up, that's one thing. But just that's it; that's where it stands. She'll yell at you and then she'll make you write papers or something like that. People write papers. And then that's it. There's no feedback. There's

no, "Hey, this is why I wanted you to do that."  
If there was that, I think life would be a lot better.

(6) When interviewed, and after acknowledging her Article 31b rights, CAPT Holly Graf, Commanding Officer of COWPENS, stated that she had no recollection of making such statements. She appeared incredulous at the accusations and stated that she had a very "directive" method of communicating, but never meant her words to be taken "personally." She further stated that when she reported aboard COWPENS, the crew did not meet her expectations, so she used "directive communication" to ensure her standards and expectations were clear. She repeatedly mentioned that she has "very high standards for my crew, and I let them know when they are not meeting them." CAPT Graf repeatedly referenced a "groupthink" mentality and opined that a small group of disgruntled Officers in COWPENS wardroom were spreading rumors throughout the crew and convincing others that the command climate and her demeanor were far worse than they actually were. CAPT Graf later emailed the investigators an unsolicited word document containing the following statement:

Many times I raised my tone (and used swear words) to ensure they knew this time, it was no kidding. I also did it on other occasions to intentionally pressurize the situation. Decisions need to be made along stressful timelines and difficult situations. For example for an inbound aircraft, a series of decisions need to be made on a very tight timeline. If they have not practiced under those conditions, then they will not be able to react... I can imagine situations where I may have used some of those words in a moment of sheer frustration. My sheer frustration was more often than not in my inability to communicate my point to them. ***I discussed this fact with each of them after the verbal exchange to be sure they understood why I had reacted the way I did.***  
{Emphasis added}

(7) Jimmy Brown, former OIC of the Center for Surface Combat Systems detachment Yokosuka, sent the Investigators an unsolicited email in which he stated that he had know CAPT Graf since she took command of COWPENS and had rode the ship for a two-week period. His email read, in part, "if CAPT Graf has any faults, it is that she certainly cares about COWPENS and the ship's ability to perform in combat operations and when the officers and crew do not deliver, she lets it get to her... Her approach may be blunt, but clearly her intent is readiness."

(8) COWPENS completed an anonymous Defense Equal Opportunity Management Institute (DEOMI), i.e. Command Climate Survey in December of 2008. A sampling of the results appears below (all passages are taken directly from the survey):

- I often witness the Commanding Officer belittling the upper chain of command in blatant disregard of professionalism while in front of junior personnel.

- In my 19+ years in the Navy, I have never felt so unsafe as I do now with my current chain of command. More specifically the Commanding officer. I have seen her on numerous occasions belittle her officers and Chief Petty Officers in front of the enlisted... she never trusts her subject matter experts.

- The CO uses her rank in bully form. She does not trust her CPO Mess, nor any of her Junior Officers. She is very unprofessional and loses her temper almost everyday and the use of profanity is in excess, especially around Junior Sailors (enlisted)... She belittles E7 and above in front of Junior Sailors and dignitaries

- I have repeatedly witnessed the Commanding Officer belittle other officers in front of the crew with total disregard for professionalism.

(9) CAPT Graf responded to the DEOCS survey with a note in the POD that read:

The results of command survey indicate we are above Navy average for Positive EO Behavior and Work Group Effectiveness, however we are below Navy average in Organizational Commitment, Trust in Organization, and Leadership Cohesion. The comments you offered in the survey substantiate the statistical results. The CAT team has given me some suggestions of what we can do differently. I am going to work very hard to improve in those 3 areas and look forward to seeing improvements by the next survey."

Following results of the survey, CAPT Graf implemented a series of small focus group gatherings (including her) that emphasized morale and communication. She stated she did this to improve two-way communications up-and-down the chain of command.

(10) When interviewed, the Investigators asked 24 witnesses serving at that time on COWPENS; "how would you describe the command climate on COWPENS?" A sampling of answers follows: "One of the worst in the Navy, {there is} no mentoring, no training," "21 years in the Navy and this is the poorest climate I have ever seen. There is no training environment at all. The woman (CAPT Graf) has no couth for humanity," "not very

healthy," "pretty low," "pretty terrible," "poor," "kind of rough," "no issues" "slow, strict, negative," "split," "pretty good," "resilient, a lot of adversity between the CO, wardroom, and chief's mess... not a good working environment," "not so good, some days fine," "awful," "pretty low," "hostile, very poor, problem solving is not encouraged," "good for E-6 and below," "very poor, lowest I've ever seen morale," "today? Relatively high," "not a good climate," "not good," "tense, unpleasant," "Extremely poor, morale is down" and "uneasy."

(11) CAPT Graf was asked by the IO to describe the command climate on COWPENS. She answered, "much better than I think you have been led to believe." The IO later followed up by pressing her to describe the climate, not what she thought we were led to believe. She stated that the climate is "...working hard; supportive."

(12) CDR Garry Wright, XO of the COWPENS, stated that though CAPT Graf does occasionally use profanity, she also takes efforts to avoid harsh language by substituting phrases such as "cheese and rice." He said that CAPT Graf can be difficult to work with and for, but that he never saw her treat any crewmember in a manner that rose to abusive. He stated that the COWPENS CHENG, LCDR Liberty, did visit his stateroom on one occasion in tears, describing how difficult CAPT Graf was to work for. (LCDR Liberty confirmed this incident.)

(14) CAPT Reid Tanaka, Chief of Staff of Commander Task Force SEVENTY (CTF-70)/Carrier Strike Group FIVE (CSG-5), spent two and a half days aboard COWPENS in July, 2009, as an observer. When interviewed, he described the environment he observed as very tense, and stated "I felt a lot of tension when the Captain was around." He further stated that, in his observation, the crew was beat up, particularly the Department Heads. He stated, "With the department Heads working 6 (hours) on-6 off, how can they run a department and train JOs?" He addressed these and other concerns directly with CAPT Graf before departing COWPENS. **Note:** CAPT Tanaka rode the COWPENS in response to a complaint made by the Freemantle Harbor Pilot's Association to the US Naval Attaché' in Sydney, Australia, that was in turn forwarded for CTF-70 action. As a result of this complaint, (made following CAPT Graf's alleged mistreatment of the inbound and outbound Harbor Pilots), CAPT Graf was directed by CTF-70 to write letters of apology to the Pilots. CAPT Tanaka interviewed all potential witnesses to the incident, and also held an Officers' Call and First Class Petty Officers' Call,

while holding numerous informal conversations with COWPENS crewmembers to evaluate the Ship's environment.

b. Analysis, Discussion, and Conclusion:

(1) Navy regulations demand that a Commanding Officer "exercise leadership through personal example, moral responsibility and judicious attention to the welfare of persons under their control or supervision." Navy regulations further state, "Persons in authority are forbidden to injure their subordinates by tyrannical or capricious conduct, or by abusive language." The evidence demonstrates that CAPT Holly Graf's actions while in Command of COWPENS violate these regulations. The evidence shows that CAPT Graf was verbally abusive, and that her style of "directive communication" led to an abusive climate and injured her subordinates. It is significant that CAPT Graf's firm and directive language occurred in public, and had the effect of humiliating subordinates. Though CAPT Graf asserted that her language was not intended to be taken personally, there were incidences of personal verbal attack, for example, she publicly refers to a Department Head and a CIC watchstander as "fucking idiots" and for putting a well-respected Master Chief in "time out" while in the Combat Information Center, in front of other watchstanders of all ranks. These actions by CAPT Graf were injurious, verbal abuse. A further example of her treatment of her Combat Systems Department Head and Senior Watch Officer was when she publicly addressed him with "Scully- eye contact! You are such a god-damn stupid fucking idiot! Stop being such a blockhead!" The actions on the part of LCDR Scully that may have precipitated this outburst are irrelevant. By the standards set by Navy regulations, this and the other verbal abuses issued by CAPT Graf are unacceptable. CAPT Graf admitted she was verbally abusive when she stated, "If I had said those things, if I had made a personal attack, then that--I think a personal attack would be abusive." The evidence shows that she did in fact say "those things" and that she did make many "personal attack(s)"

(2) The evidence also demonstrates that the public nature of CAPT Graf's style of "direct communication" adds to the "injury" caused by her words and profanity. The testimony of QM1 Tran, an enlisted bridge watchstander sheds light on this point. His statement that it is "common" for CAPT Graf to ask her bridge team if they are "fucking stupid". QM1's statement that, in his own words, CAPT Graf is "trying to embarrass" his Department Head, the ship's Navigator, can only serve to lower that Officer's esteem among his subordinates contrary to the best interests of the ship and the Navy. The comments included

in the Command Climate Survey further add to this point, as does the perception of QM1 Tran. The quotation, "I often witness (sic) the Commanding Officer belittling the upper chain of command in blatant disregard of professionalism while in front of junior personnel" is representative of damage caused by CAPT Graf's demeanor and communication style. Additionally, publicly humiliating a Master Chief in the Combat Information Center injured the status of the Master Chief and humiliated him. The evidence shows CAPT Graf's actions were in violation of Navy Regulations.

(3) Climate onboard a forward-deployed surface combatant of the US Navy can be necessarily harsh, and firm leadership, that includes public, on-the-spot correction, might be necessary for mission accomplishment. There is little margin for error in such an environment, and mistakes need to be promptly addressed, both for the immediate good of the ship and to ensure that the offender is properly trained to avoid repeating the same mistakes. CAPT Graf repeatedly spoke of her high expectations and how she held her crew to a very high standard amidst a high-tempo, high-stress operating environment. However, CAPT Graf's actions exceeded the firm methods needed to succeed or even thrive in such an environment. Further, CAPT Graf's harsh language and profanity were rarely followed with any instruction. As detailed by ENS Massey above, often the victim was unaware of what he or she did (or didn't do) that resulted in CAPT Graf's ire. Several Junior Officers stated that they actively sought out CAPT Graf following a "cooling off" period to discuss the circumstances that led to such a heated response from CAPT Graf, in hope of learning what they had done wrong. CAPT Graf refused to respond to such inquiries, in one case telling the JO to "Get the fuck out of my stateroom." Her statement to LT McGowan, "Don't come to me with your problems. You're a fucking Department Head" illustrates the lack of professional guidance and mentoring offered by CAPT Graf. The evidence does not support CAPT Graf's statement that she discussed the frustration stemming from her inability to communicate "after the verbal exchange" with crewmembers. Only one watchstander (LTJG Ortiz) could recall CAPT Graf taking the time after yelling at him to teach him what he had done incorrectly, and he stated he was the only member of the wardroom that CAPT Graf did this with. The statements of LCDR Scully, a Department Head, and LT Derr, a qualified Officer of the Deck, echo the same facts: that CAPT Graf's leadership style and firm demeanor were not used as a tool to thrive in a rigid operating environment, but were abusive with no beneficial result. CAPT Graf's firm demeanor yielded no benefit to the

mission effectiveness of COWPENS, but ~~the~~ considerable negative. These incidents demonstrate CAPT Graf's gross disregard for the requirement that Commanding Officers "exercise leadership through personal example, moral responsibility and judicious attention to the welfare of persons under their control or supervision. Such leadership shall be exercised in order to achieve a positive, dominant influence on the performance of persons in the Department of the Navy."

(4) CAPT Graf offered a possible explanation by stating that she felt that a small group of officers in COWPENS wardroom had taken it upon themselves to make a large issue out of a few minor incidents. However, Lieutenant Stuart Yates of the Royal Navy, CDR Robert Bodvake and CDR Todd Bahlau provided evidence that counters this line of reasoning. All three of these officers served with CAPT Graf on her previous Command at Sea, WINSTON S. CHURCHILL. Their experiences with CAPT Graf in the years from 2002 through 2004, as presented above, provided evidence that CAPT Graf's public berating and belittling of her subordinates did not begin in the summer of 2009 when these allegations were made to the Inspector General. The evidence provided by LT Reilley further counters CAPT Graf's assertions, as he transferred off of COWPENS months before the IG complaints were received.

(5) The comments made by COWPENS crewmembers regarding the Command Climate, both when interviewed and during the anonymous Command Climate Survey, offer evidence that CAPT Graf's leadership style created an environment that was not conducive to the welfare of her crew, nor did it allow the crew to perform at an optimal level. Many of these comments, such as "I often witness the Commanding Officer belittling the upper chain of command in blatant disregard of professionalism while in front of junior personnel," focused on CAPT Graf's direct actions rather than upon a passive role that merely allowed a negative environment to persist under her leadership.

(6) The standards reviewed state that CAPT Graf has a duty to "exercise leadership through personal example, moral responsibility and judicious attention to the welfare of persons under their control or supervision. Such leadership shall be exercised in order to achieve a positive, dominant influence on the performance of persons in the Department of the Navy." Additionally, Navy Regulations state "Persons in authority are forbidden to injure their subordinates by tyrannical or capricious conduct, or by abusive language." The evidence shows that CAPT Graf violated both of these standards by demeaning,

humiliating, publicly belittling and verbally assaulting her subordinates while in Command of COWPENS. Further, her actions led to an environment that made allowing "a positive, dominant influence on the performance of persons in the Department of the Navy" not possible. Therefore, the allegation that CAPT Holly Graf verbally abused her subordinates by publicly berating and belittling them during the period of her Command of COWPENS, from March of 2008 through July of 2009, in violation of Uniform Code of Military Justice (UCMJ) Article 92, Failure to obey a lawful order or regulation, to wit: U.S. Navy Regulations, Article 802 (Responsibility) and U.S. Navy Regulations, Article 1023 (Abuse of Authority), is substantiated.

c. Recommendations: That Commander, Task Force SEVENTY (CTF-70)/Carrier Strike Group FIVE (CSG-5) take action to hold CAPT Graf accountable for violating Article 92, Failure to obey a lawful order or regulation, to wit: U.S. Navy Regulations, Article 802 (Responsibility) and U.S. Navy Regulations, Article 1023 (Abuse of Authority).

d. Disposition: Forward to CTF-70/CSG-5 for corrective action.

**Section 4. Second Allegation:** That CAPT Graf assaulted her subordinates during the period of her Command of COWPENS, from March of 2008 through July of 2009 in violation of UCMJ Article 128, Assault, is substantiated.

a. Facts:

(1) The Uniform Code of Military Justice, Article 128, Assault, states, "Any person subject to this chapter who attempts or offers with unlawful force or violence to do bodily harm to another, whether or not the attempt or offer is consummated, is guilty of assault and shall be punished as a court-martial may direct."

(2) The Manual for Courts Martial, Chapter 54, **Article 128- Assault**, Section c., *Explanation*, section (1), *Simple Assault*, Subparagraph (a) states, "Bodily harm means any offensive touching of another, however slight."

(3) LT Steve Vossler, Electronics Material Officer on COWPENS, described an incident in which CAPT Graf made physical contact with him in late June of 2009. Prior to any physical contact, LT Vossler stated that he had briefed CAPT Graf on a SATCOM system failure (a system that he was responsible for) as

she was delivering the Night Orders to CIC. The transcript of his description of this incident follows:

She--and in a moment of frustration and stress, because there are some error events going on at the time, I think she just really didn't want to listen to an explanation. She just wanted it to get fixed. So she, you know, I guess pushed me towards Radio to like--like just go, go fix it... but it was a, you know, like hands on the shoulder, you know, side of the arm kind of like push. It wasn't like a man handle, grab, choke or anything like that.

LT Vossler later stated that immediately following the incident he was upset enough that he went directly to the XO's stateroom to discuss the contact. While there, CAPT Graf arrived and issued an apology. He described this as follows:

So afterwards I talked to the XO, explained the situation what happened to him. She had--Captain Graf came within like five minutes of that occurring, I'd say no more than 10. Her, the XO and I were in the XO's stateroom and she did take time to extend an apology that she should not let her frustration get--you know, get out of hand.

(4) CAPT Graf provided the following version of the events that occurred immediately after she was told by LT Vossler that the SATCOM system was down:

And I told him {LT Vossler} to go see the XO because I knew that the XO and I had talked about it. First of all, the XO does all the--is always very effective in coordinating events because he has the schedule, but also because he and I had talked about it and knew what the preferred COA was. And I was frustrated that I was unable to communicate this with Lieutenant Vossler. And when he left Combat--it goes back to my--I don't--I don't like to get frustrated and not explain to someone why I'm frustrated. So I went out into the passageway and said, "Listen, Steve," and tried to explain to him why I was so frustrated and he made a smart-aleck remark and turned around and walked away, and I reached out and to get his attention that I wasn't done talking about this topic. And when I--when he turned around, I could tell that we were not going to have a constructive conversation at this point. And so I let him--he went ahead and went

off to go see the [b6] as I had directed him to do, and I said to myself I'm going to follow up, I'm going to follow up to make sure that he and the [b6 b7c] are coming up with the plan and I also wanted to carry on--continue the conversation to explain the level of frustration. The IO clarified the situation by asking: "You never put your hands on him?" She responded: "I did. I reached out and tugged on his shirt." IO: Okay. From the front? [b6 b7c k2]: I recall from the back.

(5) [b6 b7c k2] provided an unsolicited written statement describing his experiences with [b6 b7c k2] that includes the passage "'You're empire building' accompanied by balling up the watchbill and throwing it in the [b6 b7c k2] chest across the wardroom table." The IO followed up with this written statement by asking, via email, "Did you personally witness [b6 b7c k2] up the watchbill and throw it at the [b6 b7c k2]" (IO NOTE: [b6] was used by the IO to identify [b6 b7c k2] [b6 b7c k2] [b6 b7c k2] provided the following statement:

Affirmative- I was sitting next to her when she did it. It was [b6 b7c k2] but I do not recall who else was in the room. It was during a meeting in the wardroom and he was presenting the watchbill with [b6 b7c k2] of the Watch [b6 b7c k2] under-instructions on it. She stated that he was "empire building" (he was the [b6 b7c k2] at the time) and threw it at him.

(6) [b6 b7c k2], [b6 b7c k2], stated he was present at the same meeting and described the incident exactly as [b6 b7c k2]:

One particular situation that will always stick out in my mind...The [b6 b7c k2] handed her a watchbill... she crumpled it up and threw it at him and hit him in the chest across the table... That just absolutely floored me... I never saw her physically touch someone.

[b6 b7c k2] was interviewed a second time and verified that he personally witnessed [b6 b7c k2] throw the watchbill and hit [b6 b7c k2] in the chest. He stated that this incident occurred in September of 2008.

(7) [b6 b7c k2], [b6 b7c k2] [b6], stated that he witnessed [b6 b7c k2] ball up a watchbill and throw it at [b6 b7c k2]

b6 b7c k2 . He stated that he personally saw the wad of paper hit b6 b7c k2 in the chest at the conclusion of a meeting held in the wardroom. b6 b7c k2 also stated that another COWPENS b6 b7c k2 , b6 b7c k2 , approached him in the b6 b7c stateroom to report that b6 b7c k2 had placed her hand on his shoulder while eating breakfast in the wardroom. b6 b7c k2 stated that b6 b7c k2 was uncomfortable with b6 b7c k2 physical contact. The b6 b7c k2 discussed this incident immediately with b6 b7c k2 and believed that b6 b7c k2 was satisfied with this outcome.

(8) b6 b7c k2 stated "She did crumple up a watchbill and throw it, but she didn't throw it at me." The IO asked, "It didn't hit you in the chest or anything like that?" b6 b7c k2 replied, "No."

(9) b6 b7c k2 , COWPENS b6 b7c k2 , stated that, while observing the bridge watch team engage in a Seamanship Training Team (STT) event (as Navigator, b6 b7c k2 is responsible for the training of the bridge teams), b6 b7c k2 Graf grew frustrated with him and:

... to the point where she was getting so frustrated she--you know, she grabbed my arm, squeezed it pretty hard and like pushed me towards the thing, towards the OOD. "Hey, go train them."

The IO asked him to clarify this situation. He responded:

It was on the bridge wing. She grabbed my right arm and she stood to the right side of me. She was yelling at me, grabbed my arm, pushed me towards the aft portion of the bridge wing where the OOD stood, and she was yelling at me to be more actively engaging in the training process during the drill....That was the only time she touched me.

b6 b7c k2 also stated that on several occasions, he witnessed b6 b7c k2 "pull" OODs, while yelling at them, to a new position on the bridge.

(10) b6 b7c k2 , COWPENS b6 b7c k2 stated that b6 b7c k2 has grabbed him several times throughout the period he served under her while he was standing watch as OOD to physically reposition him. He also stated that on one occasion in late 2008, b6 b7c k2 threatened him with a raised fist while standing watch. He stated that the ship was darkened and he was unaware of any witnesses to this incident.

(11) b6 b7c k2 provided, via email, a statement that read, in part, "I have touched people for four reasons: To get attention, to steer someone to where they should be, to soften the bite of my tone, and to express affection. I was never violent and I never acted with an intention to harm."

(12) The portion of the IO's interview with b6 b7c k2 that focuses on her physically touching crewmembers appears below:

IO: How about with certain bridge watchstanders, that we came across several allegations that there are several occasions in which you would grab them by the shoulder, kind of pull them out on the bridge wing to force some directive communication?

b6 b7c k2: Well, I can recall a situation with b6 b7c k2. It was a while ago. It was when he first started standing watch on the bridge and it had to do with a--I believe it had to do with an auxiliary and a contact and, when I came to the bridge, very direct communication on what it was that was not quite right and he appeared a bit taken back and so, in a way of escort, "Let's go out to the bridge wing, let's take a look at this and let's talk this through."

IO: And did you touch him physically?

b6 b7c k2: Yes, in a way of escort, "We need to get out here and let's go take a look at that."

IO: Okay. Where did you put your hands, your hand, hands?

b6 b7c k2: You know, it has been a while and I do not recall. I do recall that we were going out to the bridge wing and I can only assume that it was, you know, on the arm.

IO: Okay. Did you ever put your hands on--grab, put them on the arm of b6 b7c k2?

b6 b7c k2: Yes.

b6 b7c k2: That was probably within the past two months. It was a man-overboard drill and he was the seamanship training team--the person conducting the training. And the man-overboard drill was not going well. The officer of the deck and the conning officer were flopping and twitching, and so it turned into a situation where I was training the officer of the deck and the conning officer, and the navigator was just standing there, almost dumbfounded. And so I

took him by the arm once again in a form of an escort, "This is where you need to be. This is where you need to be to provide that level of training that you, as the STT member, should be providing."

b. Analysis, Discussion, and Conclusion:

(1) The evidence shows that [b6 b7c k2] treatment of her subordinates constitutes assault as defined by UCMJ Article 128 and the Manual for Courts Martial. Though it may be true that [b6 b7c k2] has no malicious intent with her physical contact, the evidence demonstrates that [b6 b7c k2] repeated "grabbing" or "escorting," is coupled with her high level of frustration. These acts meet the UCMJ definition of Assault and are unacceptable behavior for a Commanding Officer. When interviewed, she admitted to making physical contact with her crewmembers, and she corroborated the incidents referred to by [b6 b7c k2] and [b6 b7c k2] when they were interviewed. Additionally, the contact she made with [b6 b7c k2], whether it was a "push" or a "tug" on the shirt, was inappropriate, and in both of these incidents she made physical contact with a subordinate while experiencing a high level of frustration. Further, the preponderance of the evidence supports the allegation that [b6 b7c k2] did crumple up a watchbill and hit [b6 b7c k2] in the chest with it. The evidence, along with [b6 b7c k2] own words, shows that these incidents did occur in violation of prescribed standards. Thus, the allegation that [b6 b7c k2] assaulted her subordinates during the period of her Command of COWPENS, from March of 2008 through July of 2009, in violation of UCMJ Article 128, Assault, is substantiated.

c. Recommendations: That Commander, Task Force SEVENTY (CTF-70)/Carrier Strike Group FIVE (CSG-5) take action to hold [b6 b7c k2] accountable for violating UCMJ Article 128, Assault.

d. Disposition: Forwarded to CPF IG for review.

**Section 5. Third Allegation:** That [b6 b7c k2] improperly hazarded COWPENS throughout the period of her command by issuing unsafe orders to bridge watchstanders in violation UCMJ Article 110, Improper Hazarding of a Vessel, is unsubstantiated.

a. Facts:

(1) UCMJ Article 110 states "(a) Any person subject to this chapter who willfully and wrongfully hazards or suffers to

be hazarded any vessel of the armed forces shall suffer death or such other punishment as a court-martial may direct"

(2) The Manual for Courts Martial, Chapter 4, paragraph 34, states the elements that must be present to prove a vessel was hazarded

(1) That a vessel of the armed forces was hazarded in a certain manner; and

(2) That the accused by certain acts or omissions, willfully and wrongfully, or negligently, caused or suffered the vessel to be hazarded. *Hazard* means to put in danger of loss or injury. Actual damage to, or loss of, a vessel of the armed forces by collision, stranding, running upon a shoal or a rock, or by any other cause, is conclusive evidence that the vessel was hazarded..

(3) b6 b7c k2 , COMNAVSURFOR b6 b7c k2 b6 b7c k2 , states the following:  
Improper hazarding of a vessel includes either an actual event in which the ship is lost or damaged, or a situation in which a ship is placed in imminent danger of loss or serious damage. The loss, or risk of loss, must also be accompanied by a culpable state of mind, where the individual willfully and wrongfully hazards a vessel, or though negligence, permits the vessel to be hazarded. This would include failing to take measures appropriate under the circumstances to prevent a foreseeable danger. A mere error in judgment, however, does not give rise to an offense under Article 110, UCMJ.

(4) A confidential complainant provided a written statement that described, in detail, an incident in which, while the complainant was on watch as OOD in October of 2008, he believed b6 b7c k2 order to change course would have placed both COWPENS and an embarked helo that was preparing to land in danger. The complainant wrote:

About 25 minutes later the b6 called and wanted to know why we were so "close" to the carrier and expressed discomfort with the way the situation was developing and wanted us to get back into our assigned sector (we had been out of sector all night to support DLQs (IO NOTE: Deck Landing Qualifications).. I told her that we were not in any danger with the carrier and I expressed

concern about turning the ship. Doing so would put us in a dangerous situation with the carrier and also put winds out of the envelope -this would have prevented us from landing the helo, which was running low on fuel at that time. The [b6] initially seemed satisfied with this explanation, but ten minutes later she called again and this time was very upset. She ordered me to turn the ship immediately. At this time the carrier was minutes away from crossing behind us and she wanted me to turn around on a reciprocal course and cross in front of the carrier. Additionally, the helo now only had 15 minutes of fuel remaining and we needed to land them immediately. On the bridge I had constant communication with the Landing Signal Officer (LSO) and the LSO was starting to get very nervous and wanted to land the helo immediately. I told the [b6] my concerns and specifically told her that, if we turned the ship, not only would we put the ship in danger but by the time we turned all the way around (for an unspecified period of time) then had to turn back around to get winds back in the envelope, I didn't think we could land the helo before it ran out of fuel.

She ignored my recommendations and ordered me to turn immediately. Upon hanging up the phone *I made the conscious decision to remain on course and land the helo.* As OOD underway I have a direct responsibility to ensure the safety of the ship and its operating forces. *Following the [b6 b7c] orders when there was no tactical or navigational reason to do so would have put the ship and especially the helo in serious danger.* What was most shocking to me is that the [b6] did not seem to care about the lives of the pilots and did not or could not understand how her actions, if followed, would have placed them in unnecessary danger. {emphasis added}

According to the complainant, after the helo landed, [b6 b7c k2] confronted the OOD on the bridge with angry words, but did not relieve him and never mentioned the incident again. The complainant identified [b6 b7c k2], [b6 b7c k2] [b6 b7c k2] detachment onboard and the pilot of the helo in the incident, and [b6 b7c k2] [b6 b7c k2] [b6 b7c k2] as witnesses.

**IO Note:** Every other OOD that was interviewed was asked if they

ever directly countermanded an order given by b6 b7c k2 . None had, but the majority stated that they would ignore minor orders delivered by her from her stateroom via phone, such as replacing the helmsman, or calling the CIC to find out who was knocking on her stateroom door.

(5) b6 b7c k2 provided a written statement that reads, "I do not recall any situation where we hazarded the ship in plane guard." In a recall interview, the incident was described to her again. She stated, again, that she did not recall the specific incident, but "with the information I had available I would never endanger the helo or the ship."

(6) When interviewed, b6 b7c k2 stated that he did not directly witness the incident described by the complainant, but was aware of it through second-hand knowledge. He stated, "Supposedly what had happened was he had a helo that was in the air and had I think—I don't remember exactly how many minutes of fuel it had left until it was going to splash down, but I know it was less than 30 minutes that the helo had left that I was informed of. And like I said, this is all after the fact that I heard about it." b6 b7c k2 also stated, "Now, whether or not, you know, has she b6 b7c k2 ever done anything that put anyone in danger, no. Is the possibility there? Does the possibility exist that she could put someone in danger, yeah, I think so."

(7) b6 b7c k2 was also interviewed. He recalled the incident, and he stated that he had spoken with the OOD following the incident and told the OOD he did a good job getting them back on deck safely. He also stated; "At no time were we in any danger or really low on fuel. We {the aircrew} were just eager to get on deck for the day. There was no safety issue with my helo. That OOD tended to overreact sometimes."

(8) Members of the crew were interviewed and asked if they ever witnessed b6 b7c k2 do anything unsafe with the vessel while she was in Command. Several witnesses described an incident in which COWPENS and USS JOHN S. McCain (DDG 56) engaged in a "race." At the conclusion of the race, the two ships were positioned in close enough proximity were some crewmembers felt it was an unsafe situation. b6 b7c k2 stated that she sanctioned this "race" as an event to boost crew morale. b6 b7c k2 was on the bridge for the "race" and described the situation as "definitely unsafe" and stated that COWPENS would have hit JOHN S. McCain had b6 b7c k2 not ordered the ship to go to "All Stop."

(9) When interviewed, [REDACTED] described the incident as follows:

I became uncomfortable with what I thought was closing distance. Oh, by the way, I didn't think we were winning and, if we were winning because we accelerated out of the blocks, they were now pulling ahead... so my decision was to slow and they went ahead and took off in front of us. Never was it an unsafe situation.

(10) [REDACTED] was COWPENS OOD during the race. When interviewed, he stated that the "race" began immediately following a PHOTO-EX in open waters east of Okinawa with no civilian vessels in the vicinity. He confirmed that [REDACTED] and [REDACTED] coordinated a base course over bridge-to-bridge radio. He described the situation by stating that JOHN S. McCain, upon pulling ahead of COWPENS from the right, began a leftward drift towards COWPENS. [REDACTED], stationed on the bridge wing, recognized this situation and ordered [REDACTED] to bring COWPENS to "All Stop." [REDACTED] complied, and as JOHN S. McCain continued to drift across the intended track of COWPENS, he briefly ordered COWPENS to "All Back Full." Once JOHN S. McCain began opening distance on COWPENS, he brought the ship back to "All Stop." He stated that [REDACTED] was engaged on the bridge throughout this evolution and that had she not had the right people issuing the proper orders at the right time, the evolution may have become unsafe.

(11) [REDACTED], [REDACTED] of JOHN S. McCain corroborated that his ship did race COWPENS in early 2009. Upon completion of a PHOTO-EX with the USS JOHN C. STENNIS (CVN 74), he and [REDACTED] coordinated the race via bridge-to-bridge radio, while both ships' Tactical Action Officers coordinated via chat. He corroborated [REDACTED] statement that no civilian vessels were present. He stated that in his opinion, [REDACTED] recognized a potentially unsafe situation and ordered her ship to come to "All Stop," while using the momentum of the COWPENS to cross behind JOHN S. McCain's port quarter to its starboard quarter. He also stated that he did not think that either vessel was in any danger or was hazarded as a result of the race.

(12) [REDACTED], COWPENS [REDACTED], stated that he watched the race from the flight deck of COWPENS. Though he was unable to see how close the COWPENS and JOHN S. McCain came, he stated that he heard from at least one crewmember after the race that it ended in a "close call." He stated that from his vantage

point, he was unaware of any abrupt maneuvers at the conclusion of the race.

(13) Four witnesses that visually witnessed the race were asked to describe their recollection of how close COWPENS and JOHNS S. McCain got at the conclusion of the race. Their recollections differed, as did their vantage point during race. Their recollections and the position they held are described below:

- b6 b7c k2 observed the race from the bridge of COWPENS as OOD. He estimated the bow of COWPENS at 50-75 feet from amidship JOHN S. McCain at the Closest Point of Approach (CPA).

- b6 b7c k2 observed the race from the bridge of the JOHN S. McCain. He estimated COWPENS was no closer than "Standard UNREP distance" at any point in the race. From his position on the bridge of JOHN S. McCain, he estimated that CPA of COWPENS was 180 to 200 feet to his stern.

- b6 b7c k2, JOHN S. McCain Combat Systems Officer, observed the race from the JOHN S. McCain's flight deck. He estimated that COWPENS has a CPA of 100-150 yards immediately after initiating its turn to starboard.

- b6 b7c k2 stated that, from her vantage point on COWPENS bridge, the distance between the ships was "much greater than standard unrep distance (i.e. 180-220 feet)."

(14) No witness was aware of any incident in which COWPENS actually struck another vessel, ran aground, or was involved in any consummated act in which the ship was damaged by shiphandling (as opposed to suffering an engineering casualty).

(15) In a separate incident a confidential complainant wrote:

The ship was heading in the direction of a fleet of fishing contacts that were located off the starboard bow. JOOD called the b6 b7c to give a contact report and said he had intentions of turning to port to avoid the contacts. b6 b7c was furious and said that was incorrect and to go read the rules of the road book. She said you can never turn to port to avoid contacts... OOD ordered the turn starboard as the b6 b7c ordered. This sent the ship coming within 1500 yards of the fishing fleet...She makes rash decisions and refuses to listen to OODs suggestions... Many times she has refused to listen to the OODs reports and ordered

course/speeds changes that have put the ship and crew in danger.

(16) b6 b7c k2 provided a written statement that reads, "There are many fishing fleets in the areas where we transit... I have never felt we endangered the ship or the fishing boats. I always keep the ones on the left drifting left, and those on the right drifting right. If they look like they are going to cross, I slow."

(17) b6 b7c k2, COWPENS b6 b7c k2, has 19+ years in the Navy and previously served as a b6 b7c k2. He is a qualified OOD that served on COWPENS for the entire length of b6 b7c k2. Command tour stated, "I never seen her put the ship in an unsafe environment; I can honestly say that."

(18) b6 b7c k2, COWPENS b6 b7c k2, when asked if he had ever witnessed b6 b7c k2 do anything unsafe, stated, "I think her shiphandling is safe."

b. Analysis, Discussion, and Conclusion:

(1) Though there is evidence that b6 b7c k2 demeanor and treatment of watchstanders on COWPENS is rough, there is no evidence that this has led to a situation in which b6 b7c k2 has committed an act that would constitute "Hazarding a Vessel." No witness could describe an incident where b6 b7c k2 actions or lack of action led to either damage to COWPENS or an injury to a Sailor or close calls of damage or injury. Though several witnesses deemed the proximity of JOHN S. MCCAIN and COWPENS at the end of their race to be unsafe, there is no evidence to support an allegation that b6 b7c k2 hazarded COWPENS, in contrast, she withdrew from the race to avoid an unsafe situation. The criteria required to meet the standard of hazarding a vessel according to the Manual for Courts Martial is very narrowly defined. In order to show that b6 b7c k2 improperly hazarded the USS COWPENS, the evidence must show that an actual event occurred in which the ship was lost or damaged, or that there was a situation in which the ship was placed in imminent danger of loss or serious damage. Also, the loss, or risk of loss, must also be accompanied by a culpable state of mind, where b6 b7c k2 willfully and wrongfully hazarded the vessel, or through negligence, permits the vessel to be hazarded. The evidence shows that is not the case with b6 b7c k2 and the USS COWPENS, the "race" between USS COWPENS and USS JOHN S MCCAIN provides a contrast to this point, as two witnesses b6 b7c

b6 b7c k2 and b6 b7c k2, stated that b6 b7c k2 recognized a potentially unsafe situation and took action to avoid it. The evidence points out that she ultimately directed action that kept her vessel safe. Similarly in the helo incident, though the complainant's description of the situation in which he felt he had to contradict b6 b7c k2 orders to keep USS COWPENS and the attached helo safe, was born out of b6 b7c k2 perception that the ship was "close" to the carrier. This evidence demonstrates that b6 b7c k2 orders were given with the intent of keeping USS COWPENS safe and away from a situation that caused her discomfort. One of her most experienced shiphandlers, b6 b7c k2, stated unequivocally that he never saw b6 b7c k2 put the ship in an unsafe situation. This statement is particularly significant due to the highly strained relationship between b6 b7c k2 and b6 b7c k2 (She told him openly that she hated him, as described in the First Allegation). Under the circumstances outlined by this investigation, there is insufficient evidence that b6 b7c k2 willfully placed USS COWPENS in danger or knew of an imminent danger to her ship but failed to take prudent measures to avoid that danger. To the contrary, the evidence shows that she issued orders to steer away from danger when it became evident that USS COWPENS was closing too close to other vessels.

(2) The evidence shows that b6 b7c k2 demeanor creates a tense environment on board the bridge. The evidence also shows that b6 b7c k2 watchstanders are often afraid to question her decisions or to exercise their own judgment for fear of reprisal from her. This situation may lead to an ineffective bridge team. The evidence indicates b6 b7c k2, on at least one occasion, openly countermanded her order and proceeded on a course of action contrary to her direct order. Though there was no negative outcome to this situation, it demonstrates a breakdown in the chain of command on the bridge of COWPENS. This breakdown is compounded by b6 b7c k2 failure to address the situation at a later **time which could create a dysfunctional bridge team.** Numerous OODs testified that they routinely ignored her minor orders.

(3) Issues were present on the bridge as a result of b6 b7c k2 Command presence and her actions described in Allegation One. However, none of these issues has led to an incident of conclusive evidence of hazarding a vessel. The evidence demonstrates the possibility that b6 b7c k2 issued questionable orders to her bridge watchstanders, but these were not the result of willful negligence. Therefore, the allegation that b6 b7c k2 improperly hazarded COWPENS throughout the period

of her command by issuing unsafe orders to bridge watchstanders in violation UCMJ Article 110, Improper Hazarding of a Vessel, is unsubstantiated.

c. Recommendations: None.

d. Disposition: N/A.

**Section 6. Fourth Allegation:** That [b6 b7c k2] was derelict in the performance of her duties by not qualifying an Engineering Officer of the Watch (EOOW) from February to July 2009, despite the fact that there were two Chief Petty Officers awaiting their qualification boards, in violation of UCMJ Art. 92, Failure to obey an order or regulation, to wit: OPNAVINST 3500.34A, Personnel Qualification Standards Program, and COMNAVSURFORINST 3540.3A, Engineering Department Organization and Regulations Manual, is unsubstantiated.

a. Facts:

(1) A confidential complainant alleged, "COWPENS has not qualified an EOOW since February 2009, despite the fact that two engineering chiefs are waiting for their boards ([b6 b7c] [b6 b7c k2] and [b6 b7c k2]). They are both EOOW reguals. The Captain insists on sitting in on EOOW boards but doesn't make the time to hold boards for them."

(2) OPNAVINST 3500.34A, Personnel Qualification Standards Program, Section 5, Duties and Responsibilities, subsection (h) states "*Commanding Officers/Officers in Charge (1) implement and manage their respective PQS programs per reference (a)*" **Note:** "reference (a)" is cited immediately below.

(3) Naval Education and Training Command (NAVEDTRA) Instruction 43100-1J, Personnel Qualification Standards (PQS) Unit Coordinator's Guide, Chapter 2, Unit PQS Organization, states, "Commanding Officer - Personal involvement by the Commander/Commanding Officer is the key ingredient to a successful PQS program. Commanding Officers serve as the final authority for all qualifications achieved under the PQS Program."

(4) When interviewed, [b6 b7c k2], stated he felt that he was ready for his EOOW board in March of 2009, but it took him until June before a board was held. He stated that at one point in the Spring of 2009, he directly asked [b6 b7c k2] for an EOOW board, and she responded that she would hold one as soon as CHENG told her he was ready.

(5) When interviewed, [REDACTED], stated that he attempted to schedule an EOOW board in March or April of 2009, but did not have a board until June of 2009. He states that he asked [REDACTED] to schedule a board, and she replied, "Whenever CHENG says you're ready, I'd love to hold a board."

(6) [REDACTED] provided a written statement reading:  
I was not aware that there were two CPOs waiting for their EOOW qual. Even if I had known, I'm not sure I would have qualified them. Just before the previous CHENG departed, we had qualified three CPOs. At the same time we turned over the CHENG billet, we turned over MPA {Main Propulsion Assistant}. The new CHENG and MPA did not qualify as EOOW for a few months... I am sure I would have made a decision to wait until the new CHENG was qualified.

(7) [REDACTED], COWPENS [REDACTED], stated that, presently, there are no difficulties with scheduling EOOW boards. He made EEOW qualifications a priority and the qualification process is smooth. Both [REDACTED] and [REDACTED] confirmed the fact that there are no problems with the EEOW-qualification since [REDACTED] qualified as CHENG.

b. Analysis, Discussion, and Conclusion:

(1) OPNAVINST 3400.34A, Personnel Qualification Standards Program places the responsibility for all PQS upon the Commanding Officer: "*Commanding Officers/Officers in Charge (1) implement and manage their respective PQS programs.*" Though [REDACTED] and [REDACTED] qualification may not have happened in as timely a manner as they would have liked, the evidence shows that this was not due to any fault of [REDACTED]. Any delays that may have occurred were due to personnel turnover and all qualifications were ultimately granted in a reasonable amount of time. COMNAVSURFORINST 3540.3A, assigns responsibility to the Ship's Engineering Officer for the EOOW qualification process; the evidence shows that there are no issues with that program.

(3) The evidence shows that COWPENS has an effective program for granting EOOW qualifications. Therefore, the allegation that [REDACTED] was derelict in the performance of her duties by not qualifying an Engineering Officer of the Watch from February to July 2009, despite the fact that there were two Chief Petty Officers awaiting their qualification boards, in violation of UCMJ Art. 92, Failure to obey an order or

regulation, to wit: OPNAVINST 3500.34A, Personnel Qualification Standards Program, and COMNAVSURFORINST 3540.3A, Engineering Department Organization and Regulations Manual, is unsubstantiated.

c. Recommendations: None.

d. Disposition: N/A.

**Section 7. Fifth Allegation:** That [b6 b7c k2] used her office for personal gain in the winter of 2008 by using her position to coerce subordinates to play piano at a personal Holiday party, in violation of the Joint Ethics Regulations (JER), Section 2-301(b), Use of Federal Government Resources, and 5 Code of Federal Regulations (CFR) 2635.702, Use of public office for private gain, is substantiated.

a. Facts:

(1) JER 2-301, Use of Federal Government Resources, paragraph (b), *Other Federal Government Resources*, states, in part... "Federal Government resources, including personnel, equipment, and property, shall be used by DoD employees for official purposes only, except as follows: ... (a) The use does not adversely affect the performance of official duties by the DoD employee or the DoD employee's organization;

(2) 5 CFR 2635.702, Use of public office for private gain, subsection (a), states:

*Inducement or coercion of benefits.* An employee shall not use or permit the use of his Government position or title or any authority associated with his public office in a manner that is intended to coerce or induce another person, including a subordinate, to provide any benefit, financial or otherwise, to himself or to friends, relatives, or persons with whom the employee is affiliated in a nongovernmental capacity.

(3) A confidential complainant alleged:

Around Christmastime, I was standing OOD on the quarterdeck. When the Captain came on board, she asked me to play piano for a Christmas party she was having at her house that weekend. I agreed, feeling obligated. She never followed up with me; another [b6 b7c k2] [REDACTED], USS COWPENS) ended up playing piano at that party.

(4) b6 b7c k2 provided the following written statement at her interview addressing the allegation that she obligated an b6 b7c k2 to play piano at a Christmas party at her house:

I never directed a junior officer to play Christmas carols. I had invited a group of Japanese businessmen who were part of a civic group, and officers from GEORGE WASHINGTON, COWPENS, CTF 74 and C7F to a Christmas party. The purpose of the party was to encourage cultural exchange. The officers I invited were a good fit, because they had expressed an interest in meeting the Japanese and they would mingle well. b6 b7c k2

b6 b7c k2 was one of those officers, and was also a piano player. I had told her there would be a Japanese lady who would likely bring her recorder and might want to play Christmas carols with her. At the end of the evening when everyone was preparing to leave, b6 b7c k2 did play a few carols with her while everyone sang along.

(5) b6 b7c k2 provided a written statement. In response to the questions; "Did you play piano at a holiday party at b6 b7c k2 home? How did you come to attend this party? Were any other JOs invited? Please describe this incident." She responded:

Yes. After our ship won first place for a holiday lighting contest, where I had played piano for our sailors to sing Christmas carols, the b6 b7c k2 asked me if I would like to play for her friends that she sails with at a holiday party she was hosting. She was not pushy, and did not make me feel that I had to attend. She was warm and inviting, and I had a great time. Other JO's were invited to the party, and I spent most of my time talking with them and with her friends. At the end of the evening, after guests had eaten dinner, we all sat around the keyboard and sang a few carols. The b6 b7c k2 thanked me sincerely.

(6) b6 b7c k2, former b6 b7c k2 on COWPENS, stated that, while she was standing Quarterdeck watch, b6 b7c k2 arrived aboard and proceeded to ask b6 b7c k2 to come to a Christmas party that b6 b7c k2 was hosting and play Christmas carols on the piano. b6 b7c k2 did not play piano at the party, as b6 b7c k2 never followed up with her; in the interim she asked b6 b7c k2 to play piano. When b6 b7c k2 was asked if she felt that she could have said "No" to playing

at the party, b6 b7c k2 responded, "not really; I mean I could have said no, but it probably wouldn't have made her too happy." When asked if she felt compelled to agree to attend the party, she answered, "yes."

b. Analysis, Discussion, and Conclusion:

(1) In order to establish that b6 b7c k2 violated 5 CFR 2635.702, Use of Public Office for Personal Gain, it must be established that b6 b7c k2 used the authority associated with her position to receive a benefit. The evidence reviewed in this case demonstrates that, b6 b7c k2 used her position to induce b6 b7c k2 to play piano at her personal Christmas party, thus receiving a benefit that constitutes a violation of this standard. The fact that b6 b7c k2 directly asked two Junior Officers serving under her to play piano at her party (and that one ultimately performed this task) is key to the issue. The vast disparity in rank between b6 b7c k2 and the two Junior Officers (one an b6 b7c k2, the other a b6 b7c k2) makes it unreasonable that a request from the Commanding Officer would be seen as anything other than coercion. Though b6 b7c k2 stated that she did not feel pressured into this situation, the evidence shows that b6 b7c k2 did, and it is reasonable to conclude that the difference in rank presented would cause a reasonable person to assume that declining the Commanding Officer's invitation would have a negative effect on the Junior Officer, either personally or professionally. Despite the fact that b6 b7c k2 stated that she enjoyed her time at the party, b6 b7c k2 should have never put her or b6 b7c k2 in the position of having to accept or decline her invitation. In this case, the benefit received by b6 b7c k2 was a piano performance at her Christmas party. This benefit was obtained as a result of the coercion implicit when an O-6 Commanding Officer issues an invitation to an b6 b7c k2 or b6 b7c k2. Therefore, the evidence supports the allegation that b6 b7c k2 misused her position for personal gain. Thus, the allegation that b6 b7c k2 used her office for personal gain in the winter of 2008 by using her position to coerce subordinates to play piano at a personal Holiday party, in violation of the Joint Ethics Regulations (JER), Section 2-301(b), Use of Federal Government Resources, and 5 CFR 2635.702, Use of public office for private gain, is substantiated.

c. Recommendations: That Commander, Task Force SEVENTY (CTF-70)/Carrier Strike Group FIVE (CSG-5) take action to hold b6 b7c k2 accountable for violating the Joint Ethics Regulations (JER), Section 2-301(b), Use of Federal Government

Resources, and 5 CFR 2635.702, Use of public office for private gain.

- d. Disposition: Forwarded to CTF-70/CSG-5 for corrective action.

**Section 8. Sixth Allegation:** That [b6 b7c k2] misused subordinates for personal gain in the summer of 2008 by coercing subordinates to walk her dogs, in violation of the Joint Ethics Regulations (JER), Section 2-301(b), Use of Federal Government Resources, and CFR 2635.705b, Use of Official Time, is substantiated.

b. Facts:

(1) JER 2-301, Use of Federal Government Resources, paragraph (b), *Other Federal Government Resources*, states, in part... "Federal Government resources, including personnel, equipment, and property, shall be used by DoD employees for official purposes only, except as follows: ... (a) The use does not adversely affect the performance of official duties by the DoD employee or the DoD employee's organization;

(2) 5 CFR 2635.705b, Use of Official Time, states: "An employee shall not encourage, direct, coerce, or request a subordinate to use official time to perform activities other than those required in the performance of official duties or authorized in accordance with law or regulation."

(3) A confidential complainant alleged, "Last summer {2008} during the SRA {Selected Restricted Availability} period, we had several new Ensigns onboard. She asked them individually to walk her dog for her.

(4) [b6 b7c k2] provided the following written statement at her interview addressing alleged dog-walking:

I never directed a Junior Officer to walk my dogs... I talked about the dogs a lot in the wardroom and the officers were aware of their antics. Some of the Junior Officers appeared to be interested in meeting and playing with the dogs. I gave them what appeared to be an opportunity to be with the dogs. They also appeared to enjoy it when I asked them about it afterwards.

(5) During investigation the IO asked the USS COWPENS Junior Officers if they ever walked [b6 b7c k2] dogs (and if they were asked to attend to any other personal business), and two Lieutenants said they had walked [b6 b7c k2] dogs. (IO Note: For clarity, the dogs referenced to in this report are referred to as belonging to [b6 b7c k2]. In point of fact, they did not actually belong to her, but she had custody of them through a "dog sitting" arrangement she had with a Veterinarian.) Both [b6 b7c k2] and [b6 b7c k2] stated that they did in fact walk [b6 b7c k2] dogs, but they found it enjoyable and did so willingly. [b6 b7c k2] was staying in the BOQ across from [b6 b7c k2] house, and [b6 b7c k2] asked her to let the dogs out a few times if he went to the BOQ over lunch and she was called away. He stated he had no problem with letting the dogs out and found it enjoyable. [b6 b7c k2] also walked [b6 b7c k2] dogs a few times, and she also felt it was a positive experience. They stated they did not feel forced or obligated to spend time with the dogs.

b. Analysis, Discussion, and Conclusion:

(1) The evidence shows that [b6 b7c k2] subordinates were encouraged to walk and/or "let out" dogs belonging to [b6 b7c k2]. Though she may have thought that certain members of the wardroom would enjoy spending time with the dogs, as she claimed, the applicable standards clearly states that "an employee shall not encourage, direct, coerce, **or request** a subordinate to perform activities other than those required in the performance of official duties." [b6 b7c k2] and [b6 b7c k2] may have readily agreed to [b6 b7c k2] request, however, these actions occurred in violation of the standard. Walking dogs that are in the care of one's Commanding Officer is in no way required in the performance of the official duties of a Surface Warfare Officer or a Supply Corps Officer, particularly while away from the ship on lunch during a duty day. The evidence demonstrates that [b6 b7c k2] requested these services be carried out by her subordinates. Her motives are irrelevant with respect to the standard. Therefore, the allegation that [b6 b7c k2] misused subordinates for personal gain in the summer of 2008 by coercing subordinates to walk her dogs, in violation of the Joint Ethics Regulations (JER), Section 2-301(b), Use of Federal Government Resources, and CFR 2635.705b, Use of Official Time, is **substantiated**.

c. Recommendations: That Commander, Task Force SEVENTY (CTF-70)/Carrier Strike Group FIVE (CSG-5) take action to hold [b6 b7c k2] accountable for violating the Joint Ethics

Regulations (JER), Section 2-301(b), Use of Federal Government Resources, and CFR 2635.705b, Use of Official Time.

d. Disposition: Forwarded to CTF-70/CSG-5 for corrective action.

**Section 9. Seventh Allegation:** That [b6 b7c k2] was derelict in the performance of her duties by failing to qualify the newly-reported Ensigns and LTJG's as Surface Warfare Officers (SWOs) in a timely fashion from February 2008 through Summer of 2009, in violation of UCMJ Art. 92, Failure to obey an order or regulation, to wit, U.S. Navy Regulations, Article 0821 (Training and Education); OPNAV Instruction 3500.34F, Personnel Qualification Standards (PQS) Program; Naval Education and Training Command (NAVEDTRA) Instruction 43100-1J, Personnel Qualification Standards (PQS) Unit Coordinator's Guide and Commander, U.S. Naval Surface Forces (COMNAVSURFOR) Instruction 1412.1A CH-1, is substantiated.

a. Facts:

(1) A confidential complainant alleged that [b6 b7c k2] [b6 b7c k2] "shows no apparent interest in her crew's professional development." The complainant went on to describe the difficulties that Junior Officers aboard COWPENS had in earning their SWO qualification, specifically mentioning, "One Ensign onboard [b6 b7c k2] received his OOD letter within his first month of being onboard (it was a requal, as he was a prior QMC). Seventeen months later, he had still not been given a SWO board. He had been back from SWOS {SWO School} for five months."

(2) U.S. Navy Regulations, Chapter 8, Section 821, Training and Education, states, the Commanding Officer shall:

- a. endeavor to increase the specialized and general professional knowledge of the personnel under his or her command by the frequent conduct of drills, classes and instruction, and by the utilization of appropriate fleet and service schools,
- b. encourage and provide assistance and facilities to the personnel under his or her command who seek to further their education in professional or other subjects,
- c. afford frequent opportunities to the executive officer, and other officers of the ship as practicable, to improve their skill in ship handling,

d. require those lieutenants (junior grade) and first lieutenants who have less than two years commissioned or warrant service, and all ensigns and second lieutenants:

(1) to comply with the provisions prescribed for their instruction by the Chief of Naval Operations, the Commandant of the Marine Corps, or other appropriate authorities;

(3) OPNAVINST 3500.34A, Personnel Qualification Standards Program, Section 5, Duties and Responsibilities, subsection (h) states "*Commanding Officers/Officers in Charge (1) implement and manage their respective PQS programs per reference (a)*" **Note:** reference (a) is cited below:

(Naval Education and Training Command (NAVEDTRA) Instruction 43100-1J, Personnel Qualification Standards (PQS) Unit Coordinator's Guide, Chapter 2, Unit PQS Organization, states, "**Commanding Officer** - Personal involvement by the Commander/Commanding Officer is the key ingredient to a successful PQS program. Commanding Officers serve as the final authority for all qualifications achieved under the PQS Program."

(4) COMNAVSURFORINST 1412.1A, Chapter 8, Enclosure (1), Timeline, states, "Officers designated 116X (SWO designator) must obtain SWO qualification within the first 18 months of shipboard service, except as otherwise indicated below:

(a) Commanding Officers may grant an extension of time authorized for final qualification for up to 6 months when one of the following circumstances precludes completion within the 18-month time frame:

(1) Time spent in Regular or Complex Overhaul or Restricted Availability precludes an officer from completing watch station requirements.

(2) The ship's operating schedule does not afford sufficient time underway to complete watch station requirements.

(3) An unusual shipboard assignment, personal hardship, or other unusual circumstance precludes completion within 18 months.

b. Commanding Officers should solicit ISIC assistance as necessary to arrange temporary assignment to operational units to assist in the SWO qualification when the ship is encumbered

by circumstances outlined in paragraph 8a or for any similar situation.

Chapter 9, Approval of Qualification, further states, "only commanding officers of commissioned surface ships may qualify officers as SWOs upon completion of all requirements..."

(5) b6 b7c k2 provided the following general prescribed timeline for SWO qualification: "SWOs aim to earn their OOD qualification around their one year mark on board, then go to SWOS in Rhode Island, and earn their SWO pin within a month or two after returning from SWOS. We are supposed to earn our SWO pin within 18 months of checking in." The correctness of this timeline was confirmed by subject matter expert b6 b7c k2 b6 b7c k2 Commander, Naval Surface Forces (CNSF), Assistant Chief of Staff for Training and Readiness (N7). He also stated that the current fleet average time for an ENS to earn a SWO pin is 18.3 months.

(6) b6 b7c k2 stated that, when he approached b6 b7c k2 regarding her availability for a SWO board, she stated, "I don't have time to train Junior Officers." This statement was corroborated by b6 b7c k2.

(7) b6 b7c k2, b6 b7c k2 b6 b7c k2, stated his opinion that training Junior Officers should be one of a Commanding Officer's highest priorities and a b6 b7c k2 should take an active personal interest in such professional development. (b6 b7c k2 served as the b6 b7c k2 b6 b7c k2 of a Frigate.) He further stated that a ship assigned to Forward Deployed Naval Forces, as is COWPENS, is afforded more than ample underway opportunity for the crew to earn their qualifications.

(8) b6 b7c k2, COWPENS b6 b7c k2, stated that b6 b7c k2 presence during a training evolution negated any training value that may have been offered.

(9) b6 b7c k2 stated that aboard the COWPENS "Junior Officer development is non-existent."

(10) b6 b7c k2, b6 b7c k2 on COWPENS until October 2008, was asked to describe the training process for Junior Officers under b6 b7c k2. He responded, "I'm not sure there was any process."

(11) Numerous witnesses stated that beginning during an underway period during the summer of 2009, numerous SWO

boards were held and the qualification process appeared to be working well. b6 b7c k2 provided a statement that read, "This last underway period we qualified six OODs and three SWOs." Numerous witnesses stated that this improvement was the result of two Junior Officers, b6 b7c k2 and b6 b7c k2, proactively taking responsibility for mentoring their subordinates. b6 b7c k2 was asked to describe how they implemented the program and what role b6 b7c k2 played in the implementation. She responded via email:

In regards to the SWO training plan, if she did direct us, it was weakly and through the XO and we took the program and made it ours under no direction from the leadership. What was in place was a boring and ineffective program and both b6 b7c k2 and I asked to play a bigger role in the program, thus making it more effective and our own program. Throughout our tour, there has been immense documentation but no follow through. Since checking onboard, I had 4-5 officers more senior than myself tracking the progress of junior officers in their SWO qualifications. There was absolutely no push however or advocacy on the part of the ensigns in pushing the command to help us get these qualifications, there were mere spreadsheets to show our faults, but no road to help us get qualified. The b6 b7c k2 has had very minimal if any involvement at all in the training process regardless if she directed it or not, as she claims. She said quite frankly that she doesn't have time to train ensigns and played no role in the SWO training program.

b6 b7c k2 was asked to whom they "asked to play a bigger role in the program." she responded: "We asked the b6 b7c k2, well basically told him that we were taking over SWO training."

(12) b6 b7c k2 was also asked to describe the SWO training process on COWPENS. She responded via email: As for SWO training/tracking before b6 b7c b6 b7c k2 and I took over the program, it was sporadic at best with no follow-through. I just checked through my old emails and found four different trackers from four second tours {division officers} over the course of my first year and a half on board. All the trackers show what quals were earned and in which ones we were dink {IO: delinquent}. No set training program ever came of it, and no one ever

followed through on checking our qualification progress for more than two months (training was not the priority). There was no change to the JO training when the [b6] came in FEB 2008. She did begin to conduct leadership training with small groups of ensigns starting in FEB 2009. After much expressed anguish over lack of dedication to our qualifications as SWOs this summer, the [b6] came up with a regular training plan that started in JUN 2009 with the [b6 b7c] blessing but he had no help to follow through and training was often not held. In JUL 2009, [b6 b7c k2] and I became involved in the program as some of our previous duties were passed on to new ensigns. We've been holding regular training and bugging the command for boards ever since.

[b6 b7c k2] also provided a spreadsheet showing the milestones of the 5 first-tour JOs that had earned their SWO pins up until the underway period in Summer of 2009. This spreadsheet appears below. She stated that she and [b6 b7c k2] began a new SWO-training program after earning their pins so that their subordinates did not have to face the same difficulties they had. [b6 b7c k2] stated that she, with the help of [b6 b7c k2], has assumed responsibility for writing and delivering the watchbill to [b6 b7c k2] for signature. This was confirmed by [b6 b7c k2], the [b6 b7c k2] (The watchbill is typically written and managed by the Senior Watch Officer).

	OOD	18 Months	SWOS	SWO	
[b6 b7c k2]	FEB 2008	JAN 2009	JUN 2008	SEP 2008	*only one to earn her pin 'on time.' She became OOD qualified under previous CO.
[b6 b7c k2]	NOV 2008	DEC 2008	DEC 2008	MAR 2009	*earned pin week and a half before detaching
[b6 b7c k2]	SEP 2008	MAY 2008	OCT 2008	MAR 2009	*earned pin two days before detaching
[b6 b7c k2]	SEP 2008	FEB 2009	SEP 2008	FEB 2009	*technically earned her pin after her 18 mo mark. We argued for four month to get her board, but it was continuously delayed.
[b6 b7c k2]	SEP 2008	FEB 2009	DEC 2008	JUN 2009	*earned at my 22 mo mark, six months after finishing SWOS, after arguing for a board since Derr got hers
[b6 b7c k2]	FEB 2009	FEB 2009	MAR 2009	JUL 2009	*earned at 23 mo mark
[b6 b7c k2]	FEB 2008	JUL 2009	DEC 2008	JUN 2009	*earned 16 months after his OOD board (requal, prior QMC), and 6 months after SWOS

(13) [b6 b7c k2] emailed the IO a spreadsheet on 29 Sep 2009 labeled "JO Quals." The spreadsheet appears to be a tracker, but it is apparent that it is outdated. It is labeled, "as of 2JUNE2009." At least three SWO-qualified officers are shown as not having completed their OOD-boards (a requirement for SWO-qualification). A look at the "properties" tab of the excel spreadsheet shows it was created on 29 May 2009. [b6 b7c k2], as a [b6 b7c k2], reviewed the document and gave the opinion that the tracker was evidence of a weak training program.

[b6 b7c k2] also provided an unsolicited statement that includes the following passage:

It is the responsibility of the Senior Watch Officer per the SORM (consistent with all ships in the Navy) "to coordinate the training of deck watch standers." The Senior Watch Officer has been a weak link, and the [b6] and I have spent a considerable amount of time managing the program. As a result, we have increasingly relied on [b6 b7c] and [b6 b7c k2] to run the program for us. We frequently acknowledge our appreciation for their efforts. Just recently, [b6 b7c k2] conducted two lectures for the Junior Officers on ORM and safety mishaps. It was a topic I knew if we assigned it to the Senior Watch Officer, it would not get done. {The [b6 b7c k2], [b6 b7c k2] is the [b6 b7c k2] on COWPENS.}

(14) [b6 b7c k2], when interviewed, was asked if he felt the suggestion that he was the "weak link" in the COWPENS SWO training program was warranted. He admitted that it was warranted and stated that he and his fellow department heads do not play a particularly active role in training Ensigns and LTJGs for their SWO qualifications. He cited the OPTEMPO of the COWPENS as one factor that leads to this, as well as the watchstanding duties of the COWPENS Department Heads.

(15) [b6 b7c k2], [b6 b7c k2], was asked for his impression of the training process used by COWPENS to qualify ENS and LTJGs as [b6 b7c k2]. He stated, "There was no process." He went on to remark that the Department Heads on COWPENS, including himself, rarely have time to train or educate the junior personnel. He stated that in his opinion, COWPENS OPTEMPO is not an impediment to the qualification

process, but instead, being underway often presents greater opportunities for training.

(16) b6 b7c k2 , b6 b7c k2 b6 b7c k2 , stated that while aboard COWPENS in July of 2009, he made a personal observation that the COWPENS SWO training program suffered from numerous deficiencies and was in a "Death Spiral." Among his specific concerns were b6 b7c k2 use of an "A-Team" watch team for all special evolutions, thereby depriving other crewmembers of training opportunities, and the non-availability of COWPENS Department Heads for SWO training. He was asked if the OPTEMPO of COWPENS may be responsible for limiting some training opportunities and be a contributing factor to the discrepancies he noted. He stated that he believed that the opposite was true, that the OPTEMPO of COWPENS should present greater training opportunities. He stated that he discussed these concerns directly with b6 b7c k2 before departing the ship.

b. Analysis, Discussion, and Conclusion:

(1) Numerous standards cited above place the responsibility for Junior Officer qualifications upon the Commanding Officer. Perhaps most significant of these is NAVEDTRA Instruction 43100-1J, PQS Unit Coordinator's Guide, which states, "Personal involvement by the Commander/Commanding Officer is the key ingredient to a successful PQS program." The evidence reviewed shows that b6 b7c k2 failed to meet the responsibilities that these regulations place upon her. Her statement "I don't have time to train Junior Officers" shows disregard for these standards and is not in keeping with the duties that Navy Regulations demands from a Commanding Officer. According to Subject Matter Experts, not only is the b6 b7c k2 required to train Junior Officers, but it should be one of his or her highest priorities.

(2) Though there has been recent improvement in the SWO training process aboard COWPENS, the evidence demonstrates that b6 b7c k2 was delinquent in these requirements for an extended period of time. The facts further demonstrate that the recent improvement is not the result of b6 b7c k2 actions, but a result of the proactive professionalism of two Junior Officers that are ensuring that those that follow them aren't subjected to the same broken process that they were. Out of the seven first-tour JOs that qualified as SWOs from the time b6 b7c k2 took command to the time that b6 b7c k2 and b6 b7c k2 turned the process around, only one JO qualified on time (18 months), despite a fleet-wide average of 18.3 months, and despite the

fact that COWPENS, as an FDNF ship, is afforded MORE at-sea time to train than fleet-average. Witnesses provided conflicting opinions whether the OPTEMPO of COWPENS was an aid or hindrance to the qualification process, but, as b6 b7c k2 stated, the fact is that the OPTEMPO of COWPENS affords ample time underway for Junior Officers to earn qualifications.

(3) The documentation provided by b6 b7c k2 does not support the existence of a valid training program. The spreadsheet she provided is missing numerous pieces of information and shows several JOs as being behind in their quals, yet there is no evidence of any remedial training. While the SORM assigns responsibility to the Senior Watch Officer "to coordinate the training of deck watch standers," Navy Regulations and the PQS Unit Coordinators Guide make clear that the Commanding Officer retains the responsibility for managing and implementing the training program and that the Commanding Officer is the final authority for all quals achieved under the PQS program. It may be true that the b6 b7c k2, is a "weak link" (by his own admission); this does not excuse the fact that his duties have been assumed by two JOs. Though many of the issues with the qualification process may originate with the b6 b7c k2, it is incumbent on b6 b7c k2 and her b6 b7c k2 to fix that problem, not allow his weaknesses to develop into a more serious issue that affects the qualifications of Junior Officers. The Commanding Officer is ultimately responsible for the training and timely qualification of Junior Officers. Additionally, the evidence in this allegation shows that the deficiencies in the COWPENS qualification process had been brought to b6 b7c k2 attention by b6 b7c k2 two months prior to the beginning of this investigation, yet there is no evidence that b6 b7c k2 took any steps to correct those deficiencies. b6 b7c k2 arrived at the same conclusions regarding the JO training program after speaking with various members of the wardroom while staying aboard the ship for two and a half days (that it is in a "Death Spiral"), as the Investigating Officers did after reviewing the evidence. It is understood that the Commanding Officer of a Guided Missile Cruiser is extremely busy executing the myriad responsibilities of that position. When a program as significant as the qualification of Ensigns and Lieutenants Junior Grades as Surface Warfare Officers is an ISIC-identified weakness, there is no explanation for not taking decisive action to improve that program. Yet the evidence reviewed shows that b6 b7c k2 was derelict in her duty to give proper personal attention to these qualifications. Thus, the allegation that b6 b7c k2 was derelict in the performance of her duties by failing to qualify the newly-reported Ensigns and

Lieutenants Junior Grade as Surface Warfare Officers in a timely fashion from February 2008 through Summer of 2009, in violation of UCMJ Art. 92, Failure to obey an order or regulation, to wit, U.S. Navy Regulations, Article 0821 (Training and Education); OPNAV Instruction 3500.34F, Personnel Qualification Standards (PQS) Program; Naval Education and Training Command (NAVEDTRA) Instruction 43100-1J, Personnel Qualification Standards (PQS) Unit Coordinator's Guide and Commander, U.S. Naval Surface Forces (COMNAVSURFOR) Instruction 1412.1A CH-1, is substantiated.

c. Recommendation: That Commander, Task Force SEVENTY (CTF-70)/Carrier Strike Group FIVE (CSG-5) take action to hold [b6 b7c] [b6 b7c] accountable for violating U.S. Navy Regulations, Article 0821 (Training and Education); OPNAV Instruction 3500.34F, Personnel Qualification Standards (PQS) Program; Naval Education and Training Command (NAVEDTRA) Instruction 43100-1J, Personnel Qualification Standards (PQS) Unit Coordinator's Guide and Commander, U.S. Naval Surface Forces (COMNAVSURFOR) Instruction 1412.1A CH-1

d. Disposition: Forward to CTF-70/CSG-5 for corrective action.

**Section 10. Eighth Allegation:** That [b6 b7c k2] was derelict in the performance of her duties by failing to address waste management problems which resulted in crewmembers disposing of waste by throwing it overboard at night starting in October 2008 and continued through April 2009, in violation of UCMJ Art. 92, Failure to Obey an order or regulation U.S. Navy Regulations, Articles 0825 (Safety Precautions), is unsubstantiated.

a. Facts:

(1) U.S. Navy Regulations Article 0825, Safety Precautions, states, "In any instance where safety precautions have not been issued, or are incomplete, the commanding officer shall issue or augment such safety precautions as are deemed necessary, notifying, when appropriate, higher authorities concerned."

(2) USS COWPENS has a policy in place that personnel are not allowed on the weather decks at night unless they obtain permission from the OOD.

(3) [b6 b7c k2] was questioned about his role in jettisoning trash at night. He stated that he was never directed to jettison trash while he was AUXO. He states that while he was the AUXO he used the ship's PWP system, commonly

referred to as the 'pulper', to process all the garbage except the plastics. b6 b7c k2 stated that the 'pulper' did not break while he was the AUXO.

(4) In emails between b6 b7c k2 and b6 b7c k2 on 29 August 2008 and 30 August 2008, b6 b7c k2 discusses his concerns with using the 'pulper' as the only means to process the ship's trash. In these emails ENS Massey requested that b6 b7c k2 bring waste management concerns to the attention of b6 b7c k2. The email from b6 b7c k2 to b6 b7c k2 on 29 August 2008 shows that b6 b7c k2 wanted to obtain permission from b6 b7c k2 to dump trash in accordance with OPNAVINST 5090.1B due to the fact that the amount of trash waiting to be pulped was becoming a sanitation issue. b6 b7c k2 stated the following:

The answer I got from him was like we don't want to dump during the daytime or something because it looks bad. That's the answer I got from him. I'm not sure where that came from.

(5) b6 b7c k2 stated that b6 b7c k2, the b6 b7c k2 on USS COWPENS from October 2008 thru June 2009, told him in December 2008, that after the 'pulper' broke she had directed the dumping of trash overboard and had done it at night because she did not want to do it during the day.

(6) b6 b7c k2 states the following;  
And one of these conflicts, one of the problems we had we were told by the old CHENG that we couldn't jettison the trash over the side during the day because the captain said it looked bad. The problem was we couldn't jettison it at night without-- because we couldn't be on the weather decks at night without captain's permission. And when we called the OODs to jettison it at night, they didn't want to call the captain, so they would just say no.

(7) b6 b7c k2 also states that b6 b7c k2 was aware of the ship's trash problem because on several occasions she had approached him about scheduling regular times to dispose of the garbage overboard during the day. b6 b7c k2 stated that on one occasion b6 b7c k2 directed her to take care of the problem and suggested she do it by dumping trash over board at night, b6 b7c k2 states that this is the conversation that led her to make the decision to dump trash overboard at night.

(8) [b6 b7c k2], USS COWPENS CHENG from Sep 2007 through March 2009, denied the statement made by [b6 b7c k2] and [b6 b7c k2] that [b6 b7c k2] ordered the crew to refrain from disposing of trash overboard during the day "because it looks bad" or for any other reason. He further stated that he never relayed words to that effect to anyone in his Department. [b6 b7c k2] also stated that as the [b6 b7c k2] he was not involved in the decision for when to dump trash or how to do it and that decision was coordinated through the ship's OOD.

(9) [b6 b7c k2] was asked, "Did you ever tell the previous [b6 b7c k2], [b6 b7c k2], not to throw garbage overboard during the day because it looked bad?" She responded "No."

(10) [b6 b7c k2] states that on about 21 Mar 09, she made a request to [b6 b7c k2] that the ship have an instruction that would deal with the waste management problem. [b6 b7c k2] also states that this request was denied by [b6 b7c k2].

(11) In an email dated 21 April 09 from [b6 b7c k2] to the [b6 b7c k2], [b6 b7c k2], and [b6 b7c k2], [b6 b7c k2] stated "waste management was a problem during the last UW {underway} period." She reiterated that her crew, "follow policies in place (do not go top side at night without [b6 b7c k2] permission and dump outside 25 nm)." In a written statement provided by [b6 b7c k2] at her initial interview {25 September 09}, she writes that the "pulper" remains broken, resulting in the requirement that COWPENS crewmembers dump trash overboard during daylight. She wrote, "[b6 b7c k2] and [b6 b7c k2] periodically spot check the dumping of trash to be sure it is in accordance with procedures, and is safe."

c. Analysis, Discussion, and Conclusion:

(1) The evidence concerning the allegation that [b6 b7c k2] failed to properly "augment such safety precautions" with regard to disposing waste from the weather decks of USS COWPENS at night does not support the allegation. There is no evidence that shows [b6 b7c k2] ordered anyone to not dump waste during daylight hours because "it looks bad" or for any other reason. There is evidence that USS COWPENS Sailors did participate in unsafe evolutions by jettisoning trash overboard at night at the direction of [b6 b7c k2]. The first time an issue with waste management was raised by [b6 b7c k2] is found in emails dated 29 and 30 August 2008, these emails are between [b6 b7c k2] and [b6 b7c k2]. The emails only show that [b6 b7c k2] was made

aware of the issue and fail to show that b6 b7c k2 had any way of knowing that b6 b7c k2 believed he had a waste management problem in August 2009. b6 b7c k2 assumed that b6 b7c k2 had talked to b6 b7c k2 but there is no evidence that supports that assumption. b6 b7c k2 states that as a result of this he was not allowed to dump trash overboard during the day and this assumption. b6 b7c k2 became the AUXO after b6 b7c k2 left in October 2008. This is the same time the ship's pulper broke and at this time b6 b7c k2 made the decision to begin dumping trash overboard at night. b6 b7c k2 stated that she based this decision on the assumption that b6 b7c k2 had ordered the crew not to dump trash overboard during the day. b6 b7c k2 also states that around the same time the pulper broke, that b6 b7c k2 told her to dump the trash overboard at night. b6 b7c k2 denies that he ever told anyone to dispose of trash at night or that b6 b7c k2 had issued an order through him to not dump trash during the day. When the issue was again raised in March 2009 by b6 b7c k2, the evidence shows that b6 b7c k2 reiterated the need to follow established policies and to do so safely. b6 b7c k2 did reject b6 b7c k2 request to write an instruction dealing with waste management. b6 b7c k2 stated that there was already an instruction in place that deals with waste management and that should be the guidance used by the crew. On 21 April 2009, b6 b7c k2 emailed the b6 b7c k2, b6, and b6 and reiterated the need to dispose of trash in accordance with already established policies and to do it during the day.

(2) The fact that the b6 b7c k2 was unable to develop a better solution via her chain of command to the problem of accumulating waste is indicative of a breakdown in that chain of command. She stated that she knew what she was doing was "against the rules" but she was unable to work with her chain of command to come up with a better solution. It was apparently her sincere belief that b6 b7c k2 had ordered that no trash be thrown overboard during daylight, and her chain of command took no action to dispel this notion. This is again a symptom of a dysfunctional chain of command; that a proactive Junior Officer was unable to come up with a better solution than consciously violating a standing order and directing an unsafe evolution.

(3) The preponderance of the evidence does not support the allegation that b6 b7c k2 failed to address the waste management problem thereby forcing her crew to make unsafe decisions. Therefore, the allegation that b6 b7c k2 was derelict in the performance of her duties by failing to address

waste management problems which resulted in crewmembers disposing of waste by throwing it overboard at night starting in October 2008 and continuing through April 2009, in violation of UCMJ Art. 92, Failure to Obey an order or regulation U.S. Navy Regulations, Articles 0825 (Safety Precautions), is unsubstantiated.

c. Recommendation: None.

d. Disposition: N/A

**Section 11: Interviews and Documents:**

a. Interviews:

- (1) b6 b7c k2 , b6 b7c k2 and OOD, USS COWPENS.
- (2) b6 b7c k2 , b6 b7c k2 on board USS COWPENS.
- (3) b6 b7c k2 , b6 b7c k2 , USS COWPENS
- (4) b6 b7c k2 , b6 b7c k2 on board USS WINSTON S. CHURCHILL, current Commander of 33<sup>rd</sup> Flying Training Squadron, Vance Air Force Base.
- (5) b6 b7c k2 , b6 b7c k2 of USS WINSTON S. CHURCHILL, current Commanding Officer, USS MOMSEN.
- (6) b6 b7c k2 , b6 b7c k2 , USS COWPENS.
- (7) b6 b7c k2 , b6 b7c k2 , USS COWPENS, currently assigned to COMPACFLT N5.
- (8) b6 b7c k2 , b6 b7c k2 , USS COWPENS.
- (9) b6 b7c k2 , b6 b7c k2 , USS COWPENS.
- (10) b6 b7c k2 , b6 b7c k2 , USS COWPENS.
- (11) b6 b7c k2 , b6 b7c k2 , USS COWPENS.

- (12) b6 b7c k2 b6 b7c k2
- (13) b6 b7c k2
- (14) b6 b7c k2 , USS COWPENS.
- (15) b6 b7c k2 , USS COWPENS.
- (16) b6 b7c k2 .
- (17) b6 b7c k2 ,
- (18) b6 b7c k2 and
- (19) b6 b7c k2 , b6 b7c k2
- (20) b6 b7c k2
- (21) b6 b7c k2
- (22) b6 b7c k2 (attached to USS COWPENS).
- (23) b6 b7c k2
- (24) b6 b7c k2
- (25) b6 b7c k2 , USS COWPENS.
- (26) b6 b7c k2 , USS COWPENS.
- (27) b6 b7c k2 , USS COWPENS.
- (28) b6 b7c k2 , USS COWPENS.
- (29) b6 b7c k2

- (30) b6 b7c k2 [REDACTED], USS COWPENS.
- (31) b6 b7c k2 [REDACTED]  
b6 b7c k2 [REDACTED], USS COWPENS.
- (32) b6 b7c k2 [REDACTED], USS COWPENS.
- (33) b6 b7c k2 [REDACTED] (attached to USS COWPENS).
- (34) b6 b7c k2 [REDACTED]  
b6 b7c k2 [REDACTED] on board USS WINSTON S. CHURCHILL.
- (35) b6 b7c k2 [REDACTED], b6 b7c k2 [REDACTED],  
USS COWPENS.
- (36) b6 b7c k2 [REDACTED], b6 b7c k2 [REDACTED] on board USS COWPENS, currently assigned to Allied Joint Forces Command, Naples, Italy.
- (37) b6 b7c k2 [REDACTED], b6 b7c k2 [REDACTED], b6 b7c k2 [REDACTED]  
b6 b7c k2 [REDACTED]  
b6 b7c k2 [REDACTED]
- (38) b6 b7c k2 [REDACTED], b6 b7c k2 [REDACTED], [REDACTED],  
currently assigned to OPNAV N86.
- (39) b6 b7c k2 [REDACTED], b6 b7c k2 [REDACTED]  
and OOD, USS COWPENS.
- (40) b6 b7c k2 [REDACTED], b6 b7c k2 [REDACTED], USS JOHN S. MCCAIN.
- (41) b6 b7c k2 [REDACTED], b6 b7c k2 [REDACTED], USS COWPENS
- (42) b6 b7c k2 [REDACTED], b6 b7c k2 [REDACTED], USS COWPENS
- (43) b6 b7c k2 [REDACTED],  
b6 b7c k2 [REDACTED], USS COWPENS
- (44) b6 b7c k2 [REDACTED], b6 b7c k2 [REDACTED], Carrier Strike Group FIVE/Commander Task Force SEVENTY

b. Documents:

- (1) Unsolicited written statement from b6 b7c k2 [REDACTED]  
b6 b7c k2 [REDACTED].

- (2) Unsolicited written statement from [b6 b7c k2]  
[b6 b7c k2] .
- (3) Unsolicited written statement from [b6 b7c k2] .
- (4) Unsolicited written statement from [b6 b7c k2]  
[b6 b7c k2] .
- (5) Unsolicited written statement provided by [b6 b7c k2]  
[b6 b7c k2] . **IO note:** The above documents were all obtained during interviews, when the subject of the interview handed the document to the IOs without being asked.
- (6) Written statement from [b6 b7c k2] , requesting that the investigators contact her as witness.
- (7) [b6 b7c k2] , both statistical analysis and written comments.
- (8) Numerous written statements that [b6 b7c k2] submitted following her interview. These included written responses to the allegation, an Officer Training tracker, POD notes, and a list of witnesses she requested the IOs contact.
- (9) Unsolicited emails from retired [b6 b7c k2] , who served aboard USS Winston S. Churchill under [b6 b7c k2] Command, and [b6 b7c k2] , [b6 b7c k2] of the Center for Surface Combat Systems det Yokosuka.
- (10) Emails received from [b6 b7c k2] and [b6 b7c k2]  
[b6 b7c k2] in response to follow up questions asked by the IO.
- (11) COMPACFLT Retention Honor Roll message for third Quarter, Fiscal Year 2009, showing COWPENS as being on the Retention Honor Roll.
- (12) Suicide statistics from COWPENS showing no suicides/attempted suicides from Fiscal Year 2006 through October 2009.